

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

-----X		
In re:	:	Chapter 11
	:	
CIRCUIT CITY STORES, INC., <u>et al.</u> ,	:	Case No. 08-35653-KRH
	:	
	:	Jointly Administered
Debtors.	:	
-----X		

**RESPONSE OF THOROUGHbred VILLAGE TO THE LIQUIDATING TRUST'S
TWENTY-EIGHTH OMNIBUS OBJECTION TO LANDLORD CLAIMS**

Thoroughbred Village (the "Claimant"), by and through its counsel, Christian & Barton, LLP, hereby responds to the Liquidating Trust's Twenty-Eighth Omnibus Objection to Landlord Claims (the "Twenty-Eighth Omnibus Objection") as follows:

1. Claimant prepared and filed a proof of claim for an unsecured claim that was numbered 8953 ("Claim 8953"), which claim asserts an unsecured claim in the amount of \$1,081,955.96.
2. Exhibit C to the Twenty-Eighth Omnibus Objection states that the Trustee seeks to reduce Claim 8953 by \$7,077.97. Claimant opposes this reduction of Claim 8953.
3. The pre-petition rent that the Trustee seeks to disallow is owed and allowed pursuant to the provisions of the parties' lease agreement and applicable law. The lease agreement can be provided upon request.

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Counsel for the Claimant

4. The taxes that the Trustee seeks to disallow are owed and allowed pursuant to the provisions of the parties' lease, including Section 9 thereof, and applicable law.

5. Claimant opposes and disputes the disallowance of any portion of Claim 8953 for the reasons stated herein.

WHEREFORE, Thoroughbred Village respectfully requests that the Court enter an order allowing Claim 8953 and granting Claimant such other and further relief as is just and appropriate.

Dated: December 29, 2011

CHRISTIAN & BARTON, LLP

/s/ Jennifer M. McLemore

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Counsel for Claimant

CERTIFICATE OF SERVICE

I hereby certify that on December 29, 2011, I caused a true and correct copy of the foregoing Response to be electronically filed with the Clerk of the Bankruptcy Court for the Eastern District of Virginia, Richmond Division, using the CM/ECF system, which thereby caused the above to be served electronically on all registered users of the CM/ECF system who have filed a notice of appearance in this matter and electronically mailed to the following:

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/s/ Jennifer M. McLemore

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